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#4/A S.W.H. - 10/04/02

Attorney Docket No.: 004688.P054

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dan Kikinis, et al.

Application No.: 10/072,114

Filed: February 5, 2002

For: IMAGE-ORIENTED  
ELECTRONIC PROGRAMMING  
GUIDE SYSTEM

Examiner: Not yet assigned

Art Unit: Not yet assigned

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June 5, 2002

Date of Deposit

Catherine Louthan

Name of Person Mailing Correspondence

Catherine Louthan

Signature

6/5/02

Date

**Box Non-Fee Amendment**

Commissioner For Patents

Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Prior to the examination of the above-identified application, please amend the application as follows. An Appendix A on a page separate from this amendment is enclosed, which includes a marked-up version of the replacement paragraph to show all of the changes relative to the previous version of the paragraph pursuant to 37 C.F.R. § 1.121(b)(iii).

IN THE SPECIFICATION

Please replace the paragraphs numbered [0002]-[0006] beginning on page 2 with the following:

A1  
CONCL

[0002] This application is further a Continuation-in-Part of U.S. Patent

Application Serial No. 09/344,442.

[0003] This application is further a Continuation-in-Part of U.S. Patent

Application Serial No. 09/361,470.

[0004] This application is further a Continuation-in-Part of U.S. Patent

Application Serial No. 09/378,184, filed 8/20/99 by Kamen et al., which in turn is a continuation of U.S. Patent Application Serial No. 09/344,442, filed 6/25/1999.

[0005] This application is further a Continuation-in-Part of U.S. Patent

Application Serial No. 09/378,220, filed 8/20/99 by Kamen et al., which in turn is a continuation of U.S. Patent Application Serial No. 09/344,442, filed 6/25/1999.

[0006] This application is further a Continuation-in-Part of U.S. Patent

Application Serial No. 09/488,361, filed 1/16/00 by Kamen et al.

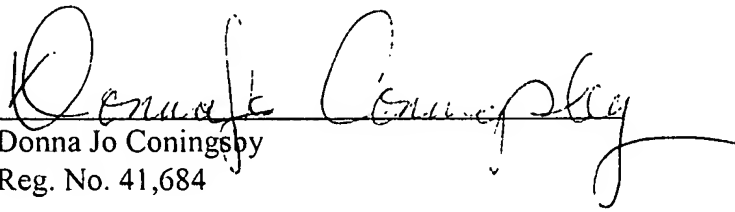
REMARKS

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 6-5-02

  
Donna Jo Coningsby  
Reg. No. 41,684

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Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 684-6200

APPENDIX A  
MARKED-UP VERSION OF REPLACEMENT PARAGRAPHS  
PURSUANT TO 37 C.F.R. § 1.121(B)(III).

[0002] This application is further a Continuation-in-Part of U.S. Patent Application Serial No. 09/344,442 [(docket No. isurfTV1), which in turn is a continuation of U.S. Patent Application Serial No. \_\_\_\_\_].

[0003] This application is further a Continuation-in-Part of U.S. Patent Application Serial No. 09/361,470 [(docket No. isurfTV2), which in turn is a continuation of U.S. Patent Application Serial No. \_\_\_\_\_].

[0004] This application is further a Continuation-in-Part of U.S. Patent Application Serial No. 09/378,184, filed 8/20/99 by Kamen et al. [(attorney docket no. isurfTV4)], which in turn is a continuation of U.S. Patent Application Serial No. 09/344,442, filed 6/25/1999.

[0005] This application is further a Continuation-in-Part of U.S. Patent Application Serial No. 09/378,220, filed 8/20/99 by Kamen et al. [(attorney docket no. isurfTV4A)], which in turn is a continuation of U.S. Patent Application Serial No. 09/344,442, filed 6/25/1999.

[0006] This application is further a Continuation-in-Part of U.S. Patent Application Serial No. 09/488,361, filed 1/16/00 by Kamen et al. [(attorney docket no. isurfTV12), which in turn is a continuation of U.S. Patent Application Serial No. \_\_\_\_\_].

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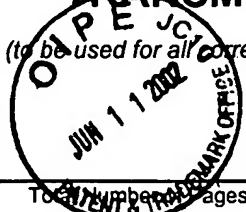
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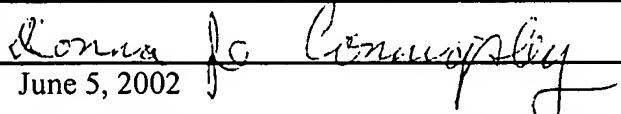
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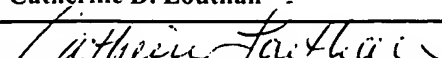
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing) 	Application No.	10/072,114
	Filing Date	February 5, 2002
	First Named Inventor	Dan Kikinis
	Group Art Unit	
	Examiner Name	Not yet assigned
	Attorney Docket Number	4688P054
Total Number of Pages in This Submission		

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">-return receipt postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Donna Jo Coningsby, Reg. No. 41,684 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	June 5, 2002

CERTIFICATE OF MAILING/TRANSMISSION			
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Typed or printed name	Catherine D. Louthan		
Signature		Date	June 5, 2002

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**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$)**Complete if Known**

Application Number 10/072,114  
Filing Date February 5, 2002  
First Named Inventor Dan Kikinis  
Examiner Name Not yet assigned  
Group/Art Unit  
Attorney Docket No. 4688P054

**METHOD OF PAYMENT (check one)**

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None  
☐ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of the application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

**2. EXTRA CLAIM FEES**

Total Claims 38  
Independent Claims 4  
Multiple Dependent  
Extra Claims Fee from below Fee Paid

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple Dependent claim, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920 *	112	920 *	Requesting publication of SIR prior to Examiner action	
113	1,840 *	113	1,840 *	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type) Donna Jo Coningsby Registration No. 41,684 Telephone (503) 684-6200  
Signature Date 06/05/02

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